

Appendix – 5Q

Fire Management Coordination Process

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Addendum To The

Umbrella Memorandum of Understanding (WY-131)

Between

Wyoming Game and Fish Department

And

US Department of the Interior

Bureau of Land Management Wyoming

For

Management of the Fish and Wildlife

Resources on the Public Lands

March 1990

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I. INTRODUCTION AND PURPOSE

The fire management coordination process procedures presented herein are intended to further encourage and facilitate cooperation between Wyoming Game and Fish Commission (WGFC) and the USDI Bureau of Land Management in the use of fire and other hazardous fuels management activities for management and enhancement of wildlife habitat.

This appendix will guide the cooperative input and consideration of wildlife resource values in the conduct of the fire management program on BLM administered public lands and WGFC habitat management units. It is the intent of this appendix to provide the personnel of the Wyoming BLM and the WGFC with consistent, clear direction for applying laws, regulations, and policies to federal fire management activities in Wyoming. This appendix is supplemental to, or becomes a part of, the Umbrella Memorandum Of Understanding (MOU) (WY-131 March 1990) between the BLM and WGFC, and derives its authority from the same sources.

Specific authority and guidance for fire management coordination include the **National Fire Plan**, **Wyoming Game and Fish Department Strategic Plan** and the **Wyoming Game and Fish Department Strategic Habitat Plan**. The Wyoming Game and Fish Department plans can be used by agencies when planning hazardous fuel reduction and/or vegetation treatment projects to ensure wildlife habitat improvement objectives are considered. Any commitment or exchange of anything of value shall be accomplished by a separate document or instrument.

A. National Fire Plan

In August 2001, the Secretaries of Agriculture and Interior joined the Western Governors' Association, National Association of State Foresters, National Association of Counties, and the Intertribal Timber Council and endorsed *A Collaborative Approach for Reducing Wildland Fire Risks to Communities and the Environment: A 10-Year Comprehensive Strategy*. www.fireplan.gov. The Wyoming Wildland Fire Plan Action Team is responsible for implementing the National Fire Plan (NFP) in Wyoming and is developing the Wyoming Interagency Fire Plan.

The four goals of the 10-Year Comprehensive Strategy are:

- Improve Fire Prevention and Suppression
- Reduce Hazardous Fuels
- Restore Fire-Adapted Ecosystems
- Promote Community Assistance

Its three core guiding principles are:

1. Priority setting that emphasizes the protection of communities and other high-priority watersheds at-risk.

2. Collaboration among governments and broadly representative stakeholders.
3. Accountability through performance measures and monitoring for results.

B. Wyoming Game and Fish Department Strategic Plan

This plan generally covers a five-year period with annual updates. The current plan is titled "Revised Four-Year Plan FY03-FY06" by Dr. Tom Thorne, Acting Director, dated July 1, 2002.

The plan includes the Agency mission, philosophy, and vision statements. It includes a situation analysis, and summarizes and discusses agency goals and objectives. Appendices in the plan provide information for program analysis, the Department's planning process, and Department projections of outcomes during the life of the plan, and Department input indicators for goals and objectives.

C. Wyoming Game and Fish Department Strategic Habitat Plan

The Strategic Habitat Plan was adopted by the WGFC in December 2001 and provides direction for Department wildlife habitat management activities.

The mission of this plan is to restore and/or manage habitat to enhance and sustain wildlife populations in the future. The three goals outlined in the plan are listed below. The goals are followed by objectives and strategies for achieving the goals.

- 1) *Manage, preserve and restore habitat for long-term sustainable management of wildlife populations.***
- 2) *Increase wildlife based recreation through habitat enhancements that increase productivity of wildlife.***
- 3) *Increase or maintain wildlife habitat and associated recreation on Commission lands.***

II. AGENCY ROLES

The following outlines the agencies roles related to each National Fire Plan Goal.

A. Improve Fire Prevention and Suppression

1. Prevention:

BLM and WGFC may cooperate under appropriate authorities in prevention activities and may work together to implement the NFP 10-Year Comprehensive Strategy and its specific objectives such as participation in the Firewise programs.

2. Suppression:

BLM performs wildfire management responsibilities under the "Interagency Cooperative Fire Management Agreement, February 2002" (ICFMA). WGFC does not have wildfire management authority on Federal lands (even within Habitat Management Units) so is not a party to ICFMA.

Wildfire management on WGFC managed lands is provided by County Fire Protection Districts where they exist.

3. Restrictions

BLM and WGFC will coordinate when entering into and lifting fire restrictions. The Wyoming Interagency Fire Restriction Plan offers guidance on coordination. The agencies will coordinate at the state office level.

4. Training:

a. Qualifications: BLM accepts minimum National Wildland Coordinating Group (NWCG) 310-1 qualifications on State of Wyoming Red Cards. BLM requires NWCG physical fitness standards be met specific to the conditions of the wildfire or project prescribed fire. This MOU does not authorize BLM to administer the physical fitness testing to WGFC employees. WGFC individuals should perform the fitness testing at their own agency or the through the County Fire Warden. An affidavit is available from State Forestry or the County Fire Warden to be signed by the employee and the witness to document the successful completion of the fitness requirement.

b. Procedures to Access Firefighting Training: Nominations for state employees pursuing training courses are submitted through Wyoming State Forestry. NWCG course schedule and applications can be found at the following website:

<http://www.fire.nps.gov/mats/matsframe.asp>

c. Additional Training Information Sources:

www.nationalfiretraining.net, www.fire.nps.gov/firetraining, www.nartc.net, and the Riverton Fire Academy (www.wyomingfire.org). Refresher training may be available at local USDA Forest Service or BLM offices.

B. Reduce Hazardous Fuels

BLM and WGFC may work together with other stakeholders under appropriate authorities, to design, plan, prioritize and implement hazardous fuel reduction projects emphasized in both wildland urban interface and other areas identified by the agencies. Projects may include

but are not limited to: prescribed fire, mechanical, biological, and chemical treatments.

C. Restore Fire-Adapted Ecosystems

BLM and WGFC may work together with other stakeholders, under appropriate authorities, to design, plan, prioritize and implement vegetation treatment projects, including but not limited to: prescribed fire, and mechanical, biological, and chemical treatments.

BLM and WGFC may cooperate under appropriate authorities on projects designed primarily for wildlife habitat enhancement and maintenance using fire.

D. Promote Community Assistance

BLM and WGFC may cooperate under appropriate authorities in community assistance projects through programs including but not limited to: State and Rural Fire Assistance which support local projects through funding and equipment.

III. LAND AND RESOURCE MANAGEMENT PLANNING

A. Federal Land Management Planning

Decisions to implement or authorize actions or activities on public lands require consistency with appropriate BLM Resource Management Plans (RMPs). RMPs provide the management direction for the federal land management agency's fire management activities. Input from WGFC will be considered throughout the planning process, however the final decision will rest solely with the BLM.

BLM and WGFC representatives to any plan revision or amendment will establish their preferred method of communication for participation in document review and planning team meetings. The WGFC can expect to be included in review of preliminary draft documents. Exceptions to this may occur under special circumstances, such as but not limited to, review of contractor's preliminary drafts.

The BLM may expect WGFC to provide substantive wildlife and habitat input during informal discussions, written comments or meetings. In some cases, WGFC may be contacted to provide information used in technical reports. WGFC Strategic Habitat Plan Priorities by Region will be considered and may be incorporated into affected areas.

B. The BLM Fire Management Implementation Plan will become four Zone Fire Management Plans

The BLM Wyoming Fire Management Implementation Plan (July 1998) and the operational Zone Fire Management Plans (FMPs) will be updated

and combined by September 30, 2004 to comply with the 2001 Federal Wildland Fire Policy and follow the Interagency FMP Template (July 2002). The four resulting Zone FMPs (Southwest, South, East and North) provide the link from the Field Office's RMPs to the day-to-day fire management operations including prescribed fire, Wildland Fire Use for Resource Benefit, and the Wildland Fire Situation Analysis. The Zone Fire Management Plans will be reviewed at the annual coordination meetings with WGFC.

C. Cooperating Agency Status

WGFC is currently participating in large-scale planning efforts with BLM. WGFC is interested in participating as a cooperating agency on future plans. This appendix does not establish cooperating agency status. A separate MOU defines the terms and conditions of that status when it is granted.

IV. PRESCRIBED FIRE AND WILDLAND FIRE PLANNING

A. Coordination

Annual coordination meetings will be held with federal agencies and WGFC habitat biologists and appropriate WGFC Regional staff to plan and coordinate all fuels projects and implementation of the National Fire Plan and the zone Fire Management Plans. Fuels project planners need to be an integral part of this coordination and could be the coordinators for these meetings.

The intent is to coordinate between individual projects, watersheds and WGFC Habitat Priority Areas when possible. Field trips to project areas, including wildland urban interface projects, during the preliminary planning stages are encouraged. Appropriate data related to inventory, fire effects, weather and monitoring will be shared by agencies and WGFC at the annual coordination meetings.

Planning and related NEPA procedures will be addressed in the Land Use Planning Appendix 2B and the Umbrella MOU March 1990.

B. Guidelines to be Used

BLM is a signatory agency or has agreed to specific guidelines cooperatively developed to help agencies design projects. Some examples specific to fire management are:

“Wyoming Guidelines for Managing Sagebrush Communities with Emphasis on Fire Management.”

“Guidelines to manage sage grouse populations and their habitats”

“Aspen Ecosystems: Objectives for Sustaining Biodiversity”

BLM Post Burn Rest Policy

Wyoming Interagency Fire Restriction Plan

V. FIRE PROJECT IMPLEMENTATION

A. Burn Plans

Burn plans identify the specific burn windows, prescription, and conditions to implement a prescribed fire. National Environmental Policy Act (NEPA) project analysis and planning will incorporate habitat improvement objectives and details. The burn plan is tiered to the NEPA analysis and related decisions. WGFC habitat biologists may be directly involved in the project analysis and planning but are not directly involved in writing the burn plan.

B. Prescribed Fire Operations

Qualified personnel from all agencies meeting NWCG 310-1 qualifications (Part II above) may participate in prescribed fire operations.

The existing Statewide Cooperative Agreement (No. KAA010013 – expires September 30, 2006) between BLM and WGFC is required to provide “in-kind” assistance or billing procedures for reimbursement for assistance. BLM Task Orders and WGFC Grant Agreements will tier back to the Statewide Cooperative Agreement. The statewide agreement provides for sharing equipment and personnel subject to the “Wyoming Governmental Claims Act” and sovereign immunity pursuant to Wyoming Statutes 1-39-104(2) and all applicable Federal laws, rules or regulations.

Waiver of Claims: The WGFC and the BLM hereby waive all claims between and against each other for compensation for wages, loss, damage, and personal injury, including death, to each other’s property, employees, agents, and contractors occurring in the performance activities under this Appendix 5Q to the Umbrella MOU (WY-131).

C. Burned Area Inventory and Monitoring

Agencies will cooperatively gather data to determine if project objectives were met as agreed to and documented during the planning process. This MOU does not commit any resources for these activities.

D. Post-burn vegetation management

Livestock and wildlife impacts, drought, insect outbreaks, invasive plant species, natural post-treatment succession, or other factors affecting the vegetation may be monitored and managed as addressed in the project plans as developed. Management adjustments to wildlife or livestock

numbers may be considered as appropriate to meet agreed upon objectives.

VI. WILDLAND FIRE

A. Wildland Fire Use

Wildland fire use is the management of wildland fires to accomplish specific pre-stated resource management objectives in predefined geographic areas outlined in fire management plans. (*January 2001 Federal Wildland Fire Management Policy*).

B. Resource Assistance

WGFC habitat biologists can provide technical assistance to BLM resource advisors on wildland fires. The Wildland Fire Situation Analysis Teams will consider WGFC input received during the annual coordination meeting and fire management planning process. WGFC habitat biologists may be contacted by BLM Fire Management personnel during formation of the Wildland Fire Situation Analysis Team.

A red card and proper personal protective equipment are required for WGFC personnel to enter an actively burning wildfire perimeter prior to containment. After containment, WGFC personnel could be escorted by qualified fire personnel with authorization from the agency administrator or the incident commander that has been delegated management of the fire.

During wildland fire management, WGFC concerns about fire retardant impacts on fish populations, whirling disease spread due to water use via water drops, post-fire seeding or grazing management, post-fire shrub re-establishment, weeds, etc. will be considered.

C. Post-burn Monitoring

After the wildfire is declared controlled, agencies may cooperatively gather data under appropriate authorities to determine fire effects on vegetation and associated resources. Management adjustments will be considered as appropriate.

D. Emergency Stabilization and Rehabilitation

Fire effects and suppression impacts are both addressed in federal Emergency Stabilization and Rehabilitation plans. These plans are prepared for incidents meeting specific criteria outlined in agency fire rehabilitation handbooks such as fire size, intensity, etc. WGFC participation in these plans may be requested.

VII. FIRE RESEARCH

Proposals for fire research may be jointly developed to be more competitive for funding and appropriate for specific vegetation communities. Some funding sources include: *Joint Fire Sciences Program* and *WGFC Trust Fund Program*.

VIII. DATA/INFORMATION SHARING

Use of a common, coordinated base of information regarding wildlife resource values is inherent to successful fire management on the public lands. Procedures for the coordination of wildlife and habitat data collection, assimilation and storage and retrieval, sharing and usage between the BLM and WGFC will be discussed in detail in Appendix 4B of the Umbrella MOU. Discussion of wildlife data in this appendix is confined to those specific functions unique to the fire management program.

Signatories:

For the US Department of the Interior, Bureau of Land Management

By:

Wyoming State Director

Date

For the Wyoming Game and Fish Department

By:

Director

Date

Chief Fiscal Officer
Wyoming Game and Fish Commission

Date

State Attorney General
Wyoming Game and Fish Commission

Date